

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RYAN M. BELL, DAMIAN ALICEA,
RUBIN ALICEA, JR., WILLIAM F.
ARMSTRONG , ROBERT M. BABNEW,
ARGENIS A. BERNARD, CHERYL N.
CAMPBELL, ANTHONY CARMICHAEL,
ODISE CARR, DALLAS L. CARTER,
JAMES V. CHIARIELLO, III, MITZI
COLLINS, CARLOS CONCEPCION, JR.,
PATRIC L. COOPER, ANTHONY L.
DAVENPORT, STEVEN L. FRITZ,
CHRISTOPHER J. FRUCCI, ANTHONY
J. GALIAZZI, JR., JASON R. GALIAZZI,
JOHN J. GALIAZZI, PAUL
GUETHERMAN, TRACEY L. HALL,
MIKE P. HELLER, KEITH M.
HENDERSON, HERIBERTO
INOSTROZA, SAMUEL M. IRIZARRY,
ZSACKHEIM R. JAMES, KENYATTA L.
KELLY, EDWARD F. KUNKEL, III,
WALTER M. KUZNIAZ, ANTHONY S.
LAFORTE, RAYMOND LOPEZ, JOHN F.
MADDOX, KEVIN M. MARTIN,
WILLIAM G. MARTIN, JR., ERIC L.
McCANT, SR., JOSEPH C. McCRAY, JR.,
JOSEPH C. McCRAY, SR., ROBERT H.
McGRIFF, GREGORY M. PEASE,
PEDRO PEREZ, SR., RAFAEL PEREZ,
DANIEL B. POPE, PARRISH J. POWERS,
ANGEL L. RAMOS, EDWIN A. RAMOS,
LEON REED, JR., WILLIAM R. REESE,
MATHEW J. REEVES, SEKOU REID-
BEY, CHRISTOPHER REVELLI,
JOSEPH D. RIVERA, JR., WILLIAM L.
ROBERTS, MIGUEL A. RODRIGUEZ,
JR., KAREN A. RUIZ, MIGUEL A. RUIZ,
TANIA RYAN, MARK A. SAUNDERS,
VINCENT J. SAUNDERS, ORLANDO
SEGARRA, TRACY L. SEIGEL, SCOTT
M. SHAW, EDWIN A. SMITH, RANDY P.
SMITH, MASHEA SNYDER, EDWARD A.
SPILLANE, ROBERT T. VALLEN,
DANIEL C. VAUSE, CHANGA S.
WHITNEY, WILLIAM J. WILEY, JR.,

COMPLAINT

Jury Trial Demanded

**JOHN D. WILLIAMSON, PHILLIP D.
WRIGHT, SHANEE D. WRIGHT,
GREGORY A. YOUNG**

Plaintiffs,

vs.

CITY OF CAMDEN,

Defendant.

Plaintiffs, by and through their attorneys, bring this Complaint against Defendant and allege as follows:

INTRODUCTION

1. Plaintiffs bring this lawsuit seeking recovery against Defendant for Defendant's violation of the Fair Labor Standards Act, as amended (the "FLSA" or the "Act"), 29 U.S.C. §201 et. seq.

JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction over Plaintiffs' FLSA claims pursuant to 28 U.S.C. § 1331 and by 29 U.S.C. § 216(b).

3. Venue is proper in the District of New Jersey pursuant to 28 U.S.C. § 1331(b)(2) because a substantial part of the events or omissions giving rise to the claims occurred in this district.

4. At all times material hereto, Plaintiffs performed non-exempt police duties for the Defendant based out of Camden, New Jersey. Defendant is therefore within the jurisdiction and venue of this Court.

5. At all times pertinent to this Complaint, Defendant was an enterprise engaged in interstate commerce or in the production of interstate goods for commerce as defined by the Act, 29 U.S.C. §§ 203(r) and 203(s).

PARTIES

Plaintiffs

6. Plaintiffs are all adult individuals who were residents of New Jersey at all times relevant in this matter. Mainly, from in or about April 2009, until approximately April 2012,¹ Plaintiffs were employed by Defendant as full time police officers.

Defendant

7. Defendant City of Camden is a public agency, which employs individuals to perform labor services on its behalf. Plaintiffs are covered public agency employees, pursuant to the Act. 29 U.S.C. § 203(s)(1)(c).

8. At all times relevant to this Complaint, Defendant was an employer engaged in commerce under the Fair Labor Standards Act, 29 U.S.C. § 201 et seq.

FACTS

9. Based upon the information available, Plaintiffs were not properly paid for all overtime hours worked, as Plaintiffs regularly worked more hours than they were permitted to record.

10. This cause of action is brought to recover from Defendant this unpaid overtime Compensation under the provisions of 29 U.S.C. §201, et.seq.

¹ This action can be brought during this time period, as the statute of limitations was tolled by Court Order, and during the period of tolling, the case was settled by the parties, subject to Court approval of the settlement.

11. Plaintiffs previously filed Consents to Join in a predecessor lawsuit seeking damages for the same violations, Feliciano, et.al. v. City of Camden, Dkt. # 12-cv-2213. Plaintiffs' Motion for Conditional Certification of a Collective Action in that matter was denied by the Court and as such the Plaintiffs were dismissed from that case.

12. During the period of time the Plaintiffs' limitations period was tolled, the parties settled this case, subject to Court approval.

COUNT I
RECOVERY OF OVERTIME COMPENSATION
PURSUANT TO THE FLSA

13. At all times pertinent to this complaint, Defendant failed to comply with Title 29 U.S.C. §§ 201-209, in that Plaintiffs performed services and labor for Defendant for which Defendant willfully made no provision to pay Plaintiffs compensation to which they were lawfully entitled at the correct overtime compensation rate for all of the hours worked in excess of forty (40) hours worked within a work week.

14. Plaintiffs have retained the law office of Jaffe Glenn Law Group, P.A. as well as the Shavitz Law Group, to represent them individually and incurred attorneys' fees and costs in bringing this action. Pursuant to 29 U.S.C. § 216(b), Plaintiffs are entitled to recovery of reasonable attorneys' fees and costs.

JURY TRIAL

15. Plaintiffs demand a jury trial.

WHEREFORE, Plaintiffs demand judgment, against Defendant, for the payment of compensation for all hours due them and overtime compensation due them for the hours worked

by them for which they have not been properly compensated, liquidated damages, reasonable attorneys' fees and costs of suit, and for all other appropriate relief.

Dated: January 5, 2018

Respectfully submitted,

/s/ Andrew Glenn

Andrew I. Glenn, Esq.

Email: aglenn@jaffeglenn.com

NJ Bar No.: 026491992

Jodi J. Jaffe, Esquire

E-mail: JJaffe@JaffeGlenn.com

NJ Bar No.: 022351993

JAFFE GLENN LAW GROUP, P.A.

301 N. Harrison Street, Suite 9F, #306

Princeton, New Jersey 08540

Telephone: (201) 687-9977

Facsimile: (201) 595-0308

Michael Palitz, Esq.

Email: mpaliz@shavitzlaw.com

NJ Bar No.:

SHAVITZ LAW GROUP, P.A.

830 3rd Avenue, 5th Floor

New York, NY 10022

Phone: 800-616-4000

Attorneys for Plaintiffs